

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	No. 3:08-CR-26
)	(JORDAN/GUYTON)
LONNIE RAY DYER,)	
)	
Defendant.)	

MEMORANDUM AND ORDER

All pretrial motions in this case have been referred to the Magistrate Judge pursuant to 28 U.S.C. § 636(b) for disposition or report and recommendation regarding disposition by the District Court as may be appropriate. The parties appeared before the undersigned on November 20, 2008, sitting in place of Judge Guyton, for a hearing on defense counsel's Motion to Withdraw [Doc. 71] filed on November 20, 2008. Attorney Andrew Roskind was present for the defendant, who was also present. Assistant United States Attorney Tracy Stone appeared on behalf of the government.

In his motion, Attorney Roskind contends that the law firm of McKellar Roskind, LLP is closing on or about December 15, 2008 and that Mr. Roskind is currently looking into future employment opportunities. Mr. Roskind is uncertain as to his future employment and due to the need to transition out of McKellar Roskind, LLP while making time available to meet with potential employers. Accordingly, he sought to withdraw from the case. At the November 20 hearing, the defendant said that he had no objection to Mr. Roskind withdrawing.

Because Mr. Roskind has acknowledged that he is not able to provide effective representation in this case, the Court finds that good cause exists to grant defense counsel's Motion to Withdraw [**Doc. 71**], the same is **GRANTED**, and Mr. Roskind is relieved as counsel for the defendant. See Wilson v. Mintzes, 761 F.2d 275, 280 (6th Cir. 1985) (holding that a defendant seeking to substitute counsel must show good cause). The Court has scheduled a status conference on **November 26, 2008 at 9:00 a.m.** before the Honorable H. Bruce Guyton.

IT IS SO ORDERED.

ENTER:

s/ C. Clifford Shirley, Jr.
United States Magistrate Judge